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EXAMINER
TANG, KENNETH

ART UNIT	PAPER NUMBER
2127	6

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/484,865	DYKINS ET AL.	
	Examiner	Art Unit	
	Kenneth Tang	2127	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 February 2003* .

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-25* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-25* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

1. This final action is in response to paper number 5, Amendment A, which was received 2/6/03. Applicant's arguments have been fully considered but they are not deemed to be persuasive. Claims 1-25 are presented for examination.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-4, 13, 15-16, and 25 are rejected under 35 U.S.C. 102(e) as being unpatentable over Hosaka et al. (US 5,896,292) (hereinafter Hosaka).

2. Referring to claim 1, Hosaka teaches a method for using a computer system for interacting with a processing system to process a microdevice comprising the steps of:

- providing processing and programming information related to a microdevice as a task ("sequence flow information, namely information such as the task", "control computer 702", col. 52, lines 47-55);
- assembling the processing and programming information for the task in the computer system ("processing", "assembling", "tasks", col 21, lines 47-51, "transmitting the control information", see Abstract);
- providing the processing and programming information for the task for off-line connection from the computer system to the processing system ("off-line", "control computer", "operating state", "tasks being executed, processes and program line, etc.", col. 12, lines 30-40, "transmitting the control information", see Abstract);
- performing the task by the processing system independent of the computer system using processing and programming information obtained through the off-line connection ("off-line mode in which the apparatus is capable of operating as a stand-alone apparatus", col. 12, lines 1-6, "transmitting the control information", see Abstract);
- developing return information resulting from the processing system using the processing information ("reverse compilation", "handshaking be performed positively in two directions", and "data generated", "data is analyzed and totalized", col. 12, lines 44-56). It is inherent that the information returning in the reverse direction stated in the reference of Hosaka is "return information."
- returning the return information through the off-line connection to the computer system ("off-line", col. 12, line 32, and "reverse compilation", "handshaking be

performed positively in two directions", and "data generated", "data is analyzed and totalized", "monitor computer 701", col. 12, lines 44-56).

3. Referring to claims 2 and 14, Hosaka teaches:

- providing a processing and programming system on-line with the computer system ("control computer" and "on-line", col. 12, lines 30-36, "transmitting the control information", see Abstract);
- providing the processing and programming information for the task for on-line connection from the computer system to the processing system ("off-line", "control computer", "operating state", "tasks being executed, processes and program line, etc.", col. 12, lines 30-40);
- performing the task by the processing system dependent on the computer system using processing and programming information obtained through the on-line connection ("on-line", "control computer", "operating state", "tasks being executed, processes and program line, etc.", col. 12, lines 30-40, "transmitting the control information", see Abstract). It is inherent that the processing is done dependently to the computer system.

4. Referring to claims 3 and 15, Hosaka teaches the steps of:

- providing an operator mode ("apparatus mode", "operating state", col. 12, lines 30-36);
- using the processing information for the task in the operator mode from the computer to the processing system ("control computer", "apparatus mode",

"operating state", "tasks being executed, processes and program line, etc.", col. 12, lines 30-40);

- returning the return information in the operator mode through the off-line connection to the computer system ("off-line", col. 12, line 32, and "reverse compilation", "handshaking be performed positively in two directions", and "data generated", "data is analyzed and totalized", "monitor computer 701", col. 12, lines 44-56, and "control computer", "apparatus mode", "operating state", col. 12, lines 30-40);
- storing the return information in the computer system ("written in the buffer by the control computer 702", col. 12, lines 53-56).

5. Referring to claims 4 and 16, Hosaka teaches:

- inputting the processing and programming information related to the task in the administrator mode ("input/output units 703-706", col. 11, lines 4-10, and "program", "assigned", "data input", "computer", col. 4, lines 29-33, "transmitting the control information", see Abstract). It is inherent that Hosaka's "administrator mode" occurs when varying the inputs/outputs.
- editing processing and programming information related to the task in the administrator mode ("input/output units 703-706", col. 11, lines 4-10, and "controlling the processes of operation", "monitor computer has an editor program", col. 4, line 11, "transmitting the control information", see Abstract);
- storing processing and programming information related to the microdevice for the processing system as the task in the administrator mode ("storing data and

programs", "monitor computer 101", "control computer 105", col. 9, lines 3-14, and "stores data representing the process ended in the control computer", See claim 22, "transmitting the control information", see Abstract). It is inherent that there is a microdevice located in a computer.

6. Referring to claim 13, it is rejected for the same reasons as stated in the rejection of claim 1. Hosaka further discloses an apparatus where programming and feeding are performed in a single device (see Figures 1 and 2, item 108).

7. Referring to claim 25, Hosaka teaches:

- providing information for affecting changes selected from a group consisting of software ("software having different functions such as control program development, control program debugging or data analysis", col 2, lines 39-44), firmware ("the data transmission means has a dual-port memory capable of real-time reading/writing to/from all or part of a memory provided within the control computer or monitor computer", col 3, lines 50-54), and a combination thereof by using the portable memory medium ("an external storage device 6603", see Fig. 66, col. 1, lines 26-31).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 5, 9-11, 17 and 21-23 are rejected under 35 U.S.C. 102(e) as being unpatentable over Hosaka et al. (hereinafter Hosaka) (US 5,896,292) in view of Fujino et al. (hereinafter Fujino) (US 5,262,954).

8. Referring to claims 5 and 17, Hosaka teaches the steps of:

- providing processing system setup parameters ("parameters", col. 19, line 65, and "input/output control device", col. 4, lines 17-20). It is inherent that the setup parameters are contained in the software that controls the input/output control device because these parameters are necessary to run the process;
- providing processing system shutdown parameters ("parameters", col. 19, line 65, and "input/output control device", "managing start-up/shut-down", col. 4, lines 17-20). It is inherent that the parameters are contained in the software that controls the input/output control device;
- providing processing system process-specific parameters ("parameters", col. 19, line 65, and "input/output control device", col. 4, lines 17-20, and "specific setting start-up command", col. 29, lines 32-35);
- sending processing system setup parameters to the processing system ("parameters", col. 19, line 65, and "input/output control device", col. 4, lines 17-

20, and "data is transmitted from the control computer 702 to the monitor computer 701", col. 12, lines 37-40); It is inherent that the setup parameters are contained in the software that controls the input/output control device because these parameters are necessary to run the process.

- inputting the number of processed microdevices to be output from the processing system ("parameters", col. 19, line 65, and "input/output control device", col. 4, lines 17-20, and "specific setting start-up command", col. 29, lines 32-35); It is inherent that the number of processed microdevices to be output is determined and inputted either manually or through automation and is inputted using the input/output control device.
- sending processing system process-specific parameters to the processing system ("parameters", col. 19, line 65, and "input/output control device", col. 4, lines 17-20, and "specific setting start-up command", col. 29, lines 32-35, and "data is transmitted from the control computer 702 to the monitor computer 701", col. 12, lines 37-40);
- sending processing system shutdown parameters to the processing system ("parameters", col. 19, line 65, and "input/output control device", "managing start-up/shut-down", col. 4, lines 17-20). It is inherent that the parameters are contained in the software that controls the input/output control device;

Hosaka fails to explicitly teach:

- controlling the handling of microdevices;

However, Fujino teaches this limitation by disclosing a "controller device which sets individual control conditions and a plurality of automatic working devices" (see

Abstract). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of controlling the handling of microdevices to the existing method of Hosaka for the reason of increasing the functionality and efficiency of the system by being able to control microdevices in an automated manner.

Hosaka also fails to explicitly teach:

- processing microdevices

However, Fujino teaches this limitation by disclosing devices that are processed ("devices", "processed", see Abstract, and "processing equipments as automatic working devices", col. 1, lines 19-30). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of processing microdevices to the existing method of Hosaka for the reason of being able to communicate so that the efficiency and control of the automated process will be increased.

9. Referring to claims 9 and 21, Hosaka teaches the steps of:

- providing microdevice information ("sequence flow information, "control computer 702", col. 52, lines 47-55);
- providing processing system setup parameters ("parameters", col. 19, line 65, and "input/output control device", col. 4, lines 17-20). It is inherent that the setup parameters are contained in the software that controls the input/output control device because these parameters are necessary to run the process;
- providing format information related to the off-line connection ("Numeral 4506 denotes a handshake register for data", "special-purpose language program is

created and compiled by the monitor computer 701 and sent to the control computer 701", "reverse compilation", col. 12, lines 44-51, and "off-line", col. 12, line 32).

- inputting the number of processed microdevices to be output from the processing system ("parameters", col. 19, line 65, and "input/output control device", col. 4, lines 17-20, and "specific setting start-up command", col. 29, lines 32-35); It is inherent that the number of processed microdevices to be output is determined and inputted either manually or through automation and is inputted using the input/output control device.
- providing the processing system setup parameters and format to the processing system ("parameters", col. 19, line 65, and "input/output control device", col. 4, lines 17-20, and "Numeral 4506 denotes a handshake register for data", "special-purpose language program is created and compiled by the monitor computer 701 and sent to the control computer 701", "reverse compilation", col. 12, lines 44-51, and "off-line", col. 12, line 32).
- transferring the microdevice information from the computer to the processing system ("data is transmitted from the control computer 702 to the monitor computer 701", col. 12, lines 36-40);
- transferring the processing system format from the computer to the processing system ("data is transmitted from the control computer 702 to the monitor computer 701", col. 12, lines 36-40, and "input/output control device", col. 4, lines 17-20, and "Numeral 4506 denotes a handshake register for data", "special-purpose language program is created and compiled by the monitor computer 701

and sent to the control computer 701", "reverse compilation", col. 12, lines 44-51, and "off-line", col. 12, line 32);

- obtaining information from the processing of the microdevices ("dual-port memory 4501 is capable of reading and writing in two directions", col. 12, lines 26-27). It is inherent that information can be obtained or extracted from the dual-port memory.
- transferring the information from the processing of the microdevices ("dual-port memory 4501 is capable of reading and writing in two directions", col. 12, lines 26-27, and "data is transmitted from the control computer 702 to the monitor computer 701", col. 12, lines 36-40, and "input/output control device", col. 4, lines 17-20, and "Numeral 4506 denotes a handshake register for data", "special-purpose language program is created and compiled by the monitor computer 701 and sent to the control computer 701", "reverse compilation", col. 12, lines 44-51, and "off-line", col. 12, line 32).

Fujino teaches the steps of:

- processing the microdevices ("devices", "processed", see Abstract, and "processing equipments as automatic working devices", col. 1, lines 19-30).

10. Referring to claims 10 and 22, Hosaka teaches the step of:

- transferring includes the use of a portable memory medium ("an external storage device 6503, col. 8, lines 40-49, see Fig 65).

11. Referring to claims 11 and 23, Hosaka teaches the step of:

- transferring includes the use of a direct communication connection ("data communication device 6508 capable of communicating information without impeding the operation of the monitor computer 6504 and a control computer 6509", col. 8, lines 45-48).

Claims 6 and 18 are rejected under 35 U.S.C. 102(e) as being unpatentable over Hosaka et al. (hereinafter Hosaka) (US 5,896,292) in view of Fujino et al. (hereinafter Fujino) (US 5,262,954) and further in view of Nagatomo et al. (hereinafter Nagatomo) (US 4,544,318).

12. Referring to claims 6 and 18, Fujino teaches the step of:

- providing a number of microdevices ("controller device which sets individual control conditions and a plurality of automatic working devices", see Abstract);

Hosaka teaches the step of:

- developing statistics from the number of microdevices processed and handled ("when analysis of data is performed in real-time in parallel with control of the production facility, analysis is simply the counting of acceptable parts or defective parts. Consequently, analysis of the type of defect or analysis of such particulars as deviation from a standard value is inevitably performed by batch processing after the raw data is acquired in lot units", col. 2, lines 10-16).

Hosaka and Fujino fail to explicitly teach:

- determining the number of microdevices processed and handled;

However, Nagatomo teaches the determination of the number of microdevices for treatments ("number of the devices", "determining the number", col. 4, lines 32-39). It is inherent that microdevices are processed and handled. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of determining the number of microdevices processed and handled to the existing method of Hosaka and Fujino for the reason of increasing the control of the system by knowing the number of microdevices the system has to work with.

Claims 7 and 19 are rejected under 35 U.S.C. 102(e) as being unpatentable over Hosaka et al. (hereinafter Hosaka) (US 5,896,292) in view of Fujino et al. (hereinafter Fujino) (US 5,262,954) and further in view of Csipkes et al. (hereinafter Csipkes) (US 6,167,401).

13. Referring to claims 7 and 19, the references of Hosaka and Fujino both fail to explicitly teach the steps of:

- serializing the microdevices;
- maintaining a log of the serialized microdevices.

However, the reference of Csipkes teaches assigning items to serial numbers (" assign the new values as the current serial numbers", col. 8, lines 6-9) and recording/maintaining the serial number of the items in a log or table ("tracking table identifies a type of product", "serial number of a product", "test files", "automated manufacturing files", col. 2, lines 21-29). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the features of serializing microdevices and maintaining

them in a log to the existing method of Hosaka and Fujino for the reason of increasing control of the system by being able to keep track of each microdevice in the system and perform actions on particular devices ("tracking table being used to link data contained in the action table", col. 2, lines 21-24).

Claims 8 and 20 are rejected under 35 U.S.C. 102(e) as being unpatentable over Hosaka et al. (US 5,896,292) (hereinafter Hosaka) in view of Grundy et al. (hereinafter Grundy) (US 5,224,055).

14. Referring to claims 8 and 20, Hosaka fails to explicitly teach the steps of:

- combining a plurality of tasks to define a kit
- performing the processing of a kit through the off-line connection.

However, Grundy teaches the use of a kit formed by tasks from a current mode logic process ("kit", "formed", "current mode logic process", "set of instructions", "design of circuit is simplified", col. 2, lines 35-41). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of a kit to the existing method of Hosaka for the reason of improving reliability by reducing error ("kit", "reduces the scope for error", col. 2, lines 40-41).

Claims 12 and 24 are rejected under 35 U.S.C. 102(e) as being unpatentable over Hosaka et al. (US 5,896,292) (hereinafter Hosaka) in view of Csipkes et al. (hereinafter Csipkes) (US 6,167,401).

15. Referring to claims 12 and 24, Hosaka teaches the step of:

- providing an administrator mode ("input/output units 703-706", col. 11, lines 4-10, and "program", "assigned", "data input", "computer", col. 4, lines 29-33). It is inherent that Hosaka's "administrator mode" occurs when varying the inputs/outputs.

Hosaka fails to explicitly teach the step of:

- protecting provisions of the operator mode using a password input in the administrator mode

However, the reference of Csipkes teaches logging into a manufacturing control network with a user ID and password ("user logs into the system at step 101", "user ID and password", col. 3, lines 42-47). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of a password input in the administrator mode to the existing method of Hosaka for the reason of increasing the security of the system.

Arguments

16. Referring to Remarks # 1 and #2, Examiner has reconsidered Applicant's arguments and has removed the 35 USC 112 rejections.

17. Referring to Remarks #3, Applicant argues Hosaka fails to teach "providing processing information related to a microdevice." In response, Examiner respectfully

disagrees. Hosaka teaches processing control/programming information with input/output devices *["control information of an input/output control device", "controlling the process of operation", "control computer", see Abstract", and "control program", col.2, lines 47-54]*.

18. Referring to Remarks #3, Applicant argues (claims 1-2 and 14) that there is no disclosure that both processing and programming information are provided to the automated system. In response, Examiner respectfully disagrees. Hosaka teaches assembling the processing and programming information for the task in the computer system ("processing", "assembling", "tasks", col 21, lines 47-51, "transmitting the control information", see Abstract, *"control program", col.2, lines 47-54*).

19. Referring to Remarks #3, Applicant explains that an "operator" is a person who runs the system and "operator mode" is a mode in which the operator has control. In response, Examiner has taken the same definitions as the Applicant. The user of the system in Hosaka is the operator that operates in the operating mode or the apparatus mode ["operating mode", col. 12, line 1].

20. Referring to Remarks #3, Applicant explains that "administrator" is a person who manages the system and "administrator mode" is a mode in which the administrator has control. Applicant argues (claim 3-4 and 16) that Hosaka doesn't inherently teach an administrator mode. In response, Examiner respectfully disagrees. Hosaka teaches a person/user can have control by being able to vary input and output *("input/output units*

703-706", col. 11, lines 4-10, and "program", "assigned", "data input", "computer", col. 4, lines 29-33, "transmitting the control information", see Abstract). It is inherent that Hosaka's "administrator mode" occurs when varying the inputs/outputs. And further, it is notoriously well known in the art that a computer system can have both an administrator as well as a operator mode with the administrator being the person that has the controls to alter input/output settings and the user being the person the system was designed to function for.

21. Referring to Remarks #3 (claim 13), Applicant argues the same limitation as in Arguments #17 and #18. Applicant is directed to those locations. Examiner apologizes for mistakenly referring to "item 109 of Fig. 1 and 2." That item does not refer to the reference of Hosaka. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., "programming" and feeding to be performed in a single device) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

22. Referring to Remarks #3 (claim 25), Applicant argues that "Hosaka does not disclose that the external storage device 6503 provides, for example, changes to software, firmware, or a combination thereof. Hosaka Fig. 66 shows the external storage device merely as memory." In response, Examiner respectfully disagrees. First, Examiner would like to point out that item "6603" was being referred to – not "6503". As shown in

Fig. 66, the external storage device 6603 can communicate with both the monitor computer and the control computer. Therefore, control information such as changes to software, firmware or a combination thereof can be accessed and stored in external storage device 6603.

23. Referring to Remarks #4 (Claims 9 and 21), Applicant describes a microdevice as an integrated circuit capable of being programmed by programming information. Applicant argues that "it would be obvious to those having ordinary skill in the art that this is unobvious in view of "automatic working devices"." In response, Examiner respectfully disagrees. Applicant has failed to give any reasons to support this argument and it is therefore considered not persuasive.

24. Referring to Remarks #4 (claims 11 and 23), Applicant is directed to Argument #22.

25. In response to applicant's argument (Remarks #4, claims 11 and 23) that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., transferring information related to microdevices) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

26. Referring to Remarks #5 (claims 6 and 18), Applicant argues that Nagatomo cannot teach or suggest the limitations related to microdevices because Nagatomo discloses a system for processing a semiconductor wafers before forming microdevices and before any processing and programming information can be used. In response, Examiner respectfully disagrees. Nagatomo does not teach what the Applicant has argued. Further, Applicant fails to provide any support or reference location in Nagatomo that he is referring to. Applicant's argument is not found to be persuasive.

27. Referring to Remarks #6 (claims 7 and 19), Applicant argues that "Caipkes seems to relate to splicing optical fibers and making optical devices (Csipkes col. 3, lines 28-30). It is respectfully submitted that there is no teaching or suggestion that microdevices are being processed or programmed." In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Claims 7 and 19 are merely drawn to serializing.

28. Referring to Remark #7 (claims 8 and 20), Applicant argues that Grundy does not teach or suggest a kit of "tasks" or things to be done as claimed in claims 8 and 20. However, Examiner respectfully disagrees. In Grundy, kit parts are used to simplify a set of instructions for implementation. Within each kit, there are a group of tasks, which define them ("kit", "formed", "current mode logic process", "set of instructions", "design

of circuit is simplified", col. 2, lines 35-41). In addition, it is inherent to "combine a plurality of tasks to define a kit" because a kit is group (or plurality) of tasks.

29. Referring to Remark #8 (claims 12 and 24), Applicant argues that Hosaka and Csipkes neither teaches nor suggests an administrator mode and an operator mode. In response, Examiner respectfully disagrees. Applicant fails to provide support for the given argument and it is therefore found to be unpersuasive. Applicant is directed to the rejections of claims 12 and 24 as also shown below:

Referring to claims 12 and 24, Hosaka teaches the step of:

- providing an administrator mode ("input/output units 703-706", col. 11, lines 4-10, and "program", "assigned", "data input", "computer", col. 4, lines 29-33). It is inherent that Hosaka's "administrator mode" occurs when varying the inputs/outputs.

Hosaka fails to explicitly teach the step of:

- protecting provisions of the operator mode using a password input in the administrator mode

However, the reference of Csipkes teaches logging into a manufacturing control network with a user ID and password ("user logs into the system at step 101", "user ID and password", col. 3, lines 42-47). It would have been obvious to one of ordinary skill in the art at the time the invention was made to include the feature of a password input in the administrator mode to the existing method of Hosaka for the reason of increasing the security of the system.

Applicant is also directed to Arguments #19 and #20.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth Tang whose telephone number is (703) 305-5334. The examiner can normally be reached on 8:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached at (703) 305-8498.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is none.

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April 11, 2003

JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100